

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 204

July 14, 1999, 3:50 p.m.
Page S-8471 Temp. Record

HEALTH INSURANCE REFORM/Double Regulation (Federal and State)

SUBJECT: Patients' Bill of Rights Act . . . S. 1344. Daschle (for Kennedy) amendment No. 1242 to the Dodd amendment No. 1239, as amended, to the Daschle substitute amendment No. 1232.

ACTION: AMENDMENT REJECTED, 48-52

SYNOPSIS: As introduced, S. 1344, the Patients' Bill of Rights Act, contains the text of S. 6, a health insurance regulation bill proposed by Senator Kennedy and other Democrats. The bill: will regulate the structure and operation of all health insurance products at the Federal level; will impose extensive mandates on consumers, health insurers, and employers; and will create new rights to sue employers and insurers for unlimited compensatory and punitive damages. As estimated by the Congressional Budget Office (CBO), this Democratic plan will cause insurance premiums to rise by an average of 6.1 percent (which will be in addition to any increases from inflation or other causes). The 6.1-percent cost increase, which will total \$72 billion over 5 years, will cause approximately 1.8 million Americans to lose their health insurance coverage.

The Daschle substitute amendment would enact some of the provisions of the Patients' Bill of Rights Plus Act (S. 300) as proposed by Republican Members. (Senator Daschle offered the amendment so that Democrats could propose amendments to it). The Republican bill: would enact consumer protections standards for federally regulated health insurance plans; would require all private group health plans to provide a wide range of comparative information about health insurance coverage; would require all private group health plans to have wr

(See other side)

YEAS (48)			NAYS (52)		NOT VOTING (0)	
Republicans (3 or 6%)	Democrats (45 or 100%)		Republicans (52 or 94%)	Democrats (0 or 0%)	Republicans (0)	Democrats (0)
Chafee	Akaka	Kennedy	Abraham	Helms	EXPLANATION OF ABSENCE: 1—Official Business 2—Necessarily Absent 3—Illness 4—Other SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	
McCain	Baucus	Kerrey	Allard	Hutchinson		
Specter	Bayh	Kerry	Ashcroft	Hutchison		
	Biden	Kohl	Bennett	Inhofe		
	Bingaman	Landrieu	Bond	Jeffords		
	Boxer	Lautenberg	Brownback	Kyl		
	Breaux	Leahy	Bunning	Lott		
	Bryan	Levin	Burns	Lugar		
	Byrd	Lieberman	Campbell	Mack		
	Cleland	Lincoln	Cochran	McConnell		
	Conrad	Mikulski	Collins	Murkowski		
	Daschle	Moynihan	Coverdell	Nickles		
	Dodd	Murray	Craig	Roberts		
	Dorgan	Reed	Crapo	Roth		
	Durbin	Reid	DeWine	Santorum		
	Edwards	Robb	Domenici	Sessions		
	Feingold	Rockefeller	Enzi	Shelby		
	Feinstein	Sarbanes	Fitzgerald	Smith, Bob (I)		
	Graham	Schumer	Frist	Smith, Gordon		
	Harkin	Torricelli	Gorton	Snowe		
	Hollings	Wellstone	Gramm	Stevens		
	Inouye	Wyden	Grams	Thomas		
	Johnson		Grassley	Thompson		
			Gregg	Thurmond		
			Hagel	Voinovich		
			Hatch	Warner		

for self-employed Americans.

The Dodd amendment, as amended by the Snowe/Abraham amendment (see vote No. 203; that amendment struck the language of the Dodd amendment and inserted new provisions), would require all group health plans to allow doctors and their patients to determine in each case the appropriate amount of time a woman should stay in a hospital after a breast cancer operation. The decision would be based solely on what was necessary and appropriate for the patient. Also, it would require all group health plans to give their patients that had been diagnosed as having cancer the right to receive second opinions from specialists; members of health maintenance organizations (HMOs) would have to provide coverage for consultations that their members sought from specialists outside of their provider networks.

The Daschle (for Kennedy) amendment would apply to State regulated group insurance plans the consumer protection standards that the Republican bill would apply to federally regulated group insurance plans. (The Federal Government, under the Employee Retirement and Income Security Act (ERISA), regulates those employer-provided group health plans that are self-insured. States may not enact consumer protection standards for such self-insured plans. Employer-provided group health plans that are not self-insured are regulated by the States. States have already adopted consumer protection standards for non-self insured group health insurance plans; 42 States have adopted "Bill of Rights" consumer protections. The Kennedy amendment would effectively subject all non-self insured group health insurance plans to duplicative regulatory requirements at the State and Federal levels). Additionally, the amendment would add various tax increases totaling \$5 billion over 10 years.

For debate, see vote No. 202.